

PATENT COOPERATION TREATY
PCT
INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY
(Chapter II of the Patent Cooperation Treaty)
(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference 3232/KC/lpm	FOR FURTHER ACTION		See Form PCT/IPEA/416
International application No. PCT/AU2004/000623	International filing date (day/month/year) 13 May 2004	Priority date (day/month/year) 13 May 2003	
International Patent Classification (IPC) or national classification and IPC Int. Cl. 7 B23P 19/04, B23Q 16/00, B25B 27/00			
<p>Applicant TELEZYGOLOGY INC et al</p>			

<p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of 6 sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (sent to the applicant and to the International Bureau) a total of sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or table related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>																	
<p>4. This report contains indications relating to the following items:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 15%;"><input checked="" type="checkbox"/></td> <td style="width: 85%;">Box No. I Basis of the report</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. II Priority</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. IV Lack of unity of invention</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VI Certain documents cited</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Box No. VII Certain defects in the international application</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>Box No. VIII Certain observations on the international application</td> </tr> </table>		<input checked="" type="checkbox"/>	Box No. I Basis of the report	<input type="checkbox"/>	Box No. II Priority	<input type="checkbox"/>	Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI Certain documents cited	<input type="checkbox"/>	Box No. VII Certain defects in the international application	<input checked="" type="checkbox"/>	Box No. VIII Certain observations on the international application
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Date of submission of the demand 13 December 2004	Date of completion of the report 12 September 2005
Name and mailing address of the IPEA/AU AUSTRALIAN PATENT OFFICE PO BOX 200, WODEN ACT 2606, AUSTRALIA E-mail address: pct@ipaaustralia.gov.au Facsimile No. (02) 6285 3929	Authorized Officer C. NGUYEN-KIM Telephone No. (02) 6283 2121

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2004/000623

Box No. I Basis of the report

With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- This report is based on translations from the original language into the following language which is the language of a translation furnished for the purposes of:
- international search (under Rules 12.3 and 23.1 (b))
 - publication of the international application (under Rule 12.4)
 - international preliminary examination (under Rules 55.2 and/or 55.3)

With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- the international application as originally filed/furnished

- the description:

pages	as originally filed/furnished
pages*	received by this Authority on _____ with the letter of _____
pages*	received by this Authority on _____ with the letter of _____

- the claims:

pages	as originally filed/furnished
pages*	as amended (together with any statement) under Article 19
pages*	received by this Authority on _____ with the letter of _____
pages*	received by this Authority on _____ with the letter of _____

- the drawings:

pages	as originally filed/furnished
pages*	received by this Authority on _____ with the letter of _____
pages*	received by this Authority on _____ with the letter of _____

- a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. The amendments have resulted in the cancellation of:

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to the sequence listing (*specify*):

4. This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- the description, pages
- the claims, Nos.
- the drawings, sheets/figs
- the sequence listing (*specify*):
- any table(s) related to the sequence listing (*specify*):

* If item 4 applies, some or all of those sheets may be marked "superseded."

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITYInternational application No.
PCT/AU2004/000623**Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****Statement**

Novelty (N)	Claims	YES
	Claims 1 – 24	NO
Inventive step (IS)	Claims	YES
	Claims 1 – 24	NO
Industrial applicability (IA)	Claims 1 – 24	YES
	Claims	NO

2. Citations and explanations (Rule 70.7)

The following international search report citations have been considered for the purpose of this statement:

D1: US 6141867 A D2: US 6081993 A D3: US 5771578 A D4: US 5531009 A
D5: US 5331831 A D6: US 4731923 A D7: US 4675993 A D8: US 4654964 A
D9: US 4603329 A D10: US 4575931 A D11: US 4453303 A D12: EP 1088626 A
D13: DE 19510856 A D14: JP 11239925 A (equivalent to US 6735856 B)
D15: JP 11074693 A

Novelty (N) Claims 1 – 24

The claims are not novel in the light of D1 – D15, all of which disclose all the essential features of the invention as claimed, eg. a method/component/system wherein a position/connection sensor is used to detect the presence/absence of a component in its proper position in an assembly and the information is communicated to a controller/information processing means.

(See the supplementary sheet for details)

Inventive Step (IS) Claims 1 – 24

The claims do not involve an inventive step in the light of D1 – D15 for the same reason as above.

Industrial Applicability (IA) Claims 1 – 24

The claims satisfy the requirements for industrial applicability.

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/AU2004/000623

Box No. VIII Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

Claims 9 – 18, 23 are not clear with respect to the expression "being associated with", ie. it is not clear whether the sensing means and the means for communicating information are part of the component claimed.

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2004/000623

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: Box V.2

- D1: This citation discloses a method/apparatus for positioning a component (T) in an assembly (WA), sensing whether the component is in its correct position by sensing means (28, 44, 87, 90a), and communicating the information from the sensing means to information processing means (200).
- D2: This citation discloses a method/apparatus for positioning a component (112) in an assembly (114, 116, 118, 120), sensing whether the component is in its correct position by sensing means (202), and communicating the information from the sensing means to information processing means (212).
The attorney responses that (114, 116, 118, 120) is not an assembly, however, the claims do not define what limitation an assembly (according to the claims) is supposed to be.
The attorney also submits that (212) is not an information processing means, however, (212) is capable of receiving information from sensing means (202) and providing information about the presence/absence of component (112) in its correct position. Nevertheless, the claims do not define what the information processing means is supposed to be.
- D3: This citation discloses a method/apparatus for positioning a component (30) in an assembly (20), sensing whether the component is in its correct position by sensing means (41, 44, 49), and communicating the information from the sensing means to information processing means (50).
- D4: This citation discloses a method/apparatus for positioning a component (rivets) in an assembly (34), sensing whether the component is in its correct position by sensing means (512, 514), and communicating the information from the sensing means to information processing means (80, 530).
This citation also discloses the removal of the component from the assembly, and the correct positions of the components are preprogrammed and stored in a data set loaded into the system controller.
- D5: This citation discloses a method/apparatus for positioning a component (fastener) in an assembly (38), sensing whether the component is in its correct position by sensing means (56), and communicating the information from the sensing means to information processing means (58).
- D6: This citation discloses a method/apparatus for positioning a component (E) in an assembly (P), sensing whether the component is in its correct position by sensing means (80, 90), and communicating the information from the sensing means to information processing means (50).
- D7: This citation discloses a method/apparatus for positioning a component (2) in an assembly (10), sensing whether the component is in its correct position by sensing means (6), and communicating the information from the sensing means to information processing means (7).
- D8: This citation discloses a method/apparatus for positioning a component (14) in an assembly (1, 2), sensing whether the component is in its correct position by sensing means (9, 10, 11, 12), and communicating the information from the sensing means to information processing means (19, 20, 21, 22).
- D9: This citation discloses a method/apparatus for removing a component (newly formed parts) from an assembly (mould base), sensing whether the components have been removed from their positions by sensing means (PS1, ..., PS16), and communicating the information from the sensing means to information processing means (2, 3, 4).
- D10: This citation discloses a method/apparatus for positioning a component (35) in an assembly (39), sensing whether the component is in its correct position by sensing means (27), and communicating the information from the sensing means to information processing means (50).
- D11: This citation discloses a method/apparatus for positioning a component (51) in an assembly (50, 55), sensing whether the component is in its correct position by sensing means (EC, ED, EA, EE, EB, EF, 92, 92'), and communicating the information from the sensing means to information processing means (Cx).

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.
PCT/AU2004/000623

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

Continuation of: **Box V.2**

- D12: This citation discloses a method/apparatus for positioning a component (4) in an assembly (2, 3, 5), sensing whether the component is in its correct position by sensing means (10a, 10b), and communicating the information from the sensing means to information processing means (13).
- D13: This citation discloses a method/apparatus for removing predetermined parts and components from an assembly (electric and electronic devices), sensing whether the components have been removed from their positions by sensing means (2), and communicating the information from the sensing means to information processing means (image recognition and image processing).
- D14: This citation discloses a method/apparatus for positioning a component (electronic components) in an assembly (2), sensing whether the component is in its correct position by sensing means (10), and communicating the information from the sensing means to information processing means (12).
- D15: The English language version of this specification is available at
<http://www19.ipdl.ncipi.go.jp/PAl/result/detail/main/wAAADCaWNBDA411074693P1.htm>
This citation discloses a method/apparatus for positioning a component (microchips) in an assembly (PCB), sensing whether the component is in its correct position by sensing means (3), and communicating the information from the sensing means to information processing means (8).

The attorney submits that some of the citations do not disclose the removal of components from an assembly. However, the claims do not define any special technical features about the removal step other than the fact that it is a reversed procedure of the positioning step and the sensing means being capable of detecting whether the component has been removed from its position. All sensing means in the citations are capable of detecting the presence or absence of the component from its correct position.

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